

21 December 1977

MEMORANDUM FOR: The Record

SUBJECT : Office of General Counsel Informal Opinion on Retroactive Pay Adjustment for Certain OLog/P&PD Supervisors.

REFERENCE : Memorandum from C/PMCD/OP to C/OL/P&PD; C/OTS/GARD; C/NPIC/PSG, and C/OGCR/Admin; dated 23 Nov 1977; Subject: Retroactive Pay Adjustment for Certain GP and GA Positions--7 August 1977 to 18 June 1977.

1. Background. The referenced memorandum authorized retroactive pay adjustment to all categories of GP and GA employees except for apprentice, bindery assistant, and supervisory personnel whose annual pay increases were effective 19 June 1977. It was disclosed later, however, that 4 supervisory employees in OL/P&PD had incorrect position titles as of 18 June 1977 pending implementation of a PMCD survey. The question posed by the P&PD Admin Officer, [redacted] was whether or not these employees, although performing as "true" supervisors, should receive one day's retroactive pay because of an administrative error.

AT 2. OGC Opinion. [redacted] informal opinion was that the pay raise for these 4 supervisory employees should be effective on the same day as for the other supervisors (19 June). Employees should be compensated based on their employment status which in the case of these 4 employees their complete Agency record (fitness report, LOI, etc.) would document them as "true" supervisors. It would be inappropriate to pay an employee two different pay rates for performing the same type of work, regardless of administrative error.

[redacted]
OP/PMCD/PMCB
Position Management Officer

77